



SENT VIA EMAIL

December 12, 2012

State Water Resources Control Board  
PO Box 2815  
Sacramento, CA 95812-2815

**Re: Workshop 3: Presentation on Natural Flow**

Dear Members of the Board:

On November 13<sup>th</sup> and 14<sup>th</sup>, the State Water Resources Control Board (“State Water Board”) held workshops entitled Analytical Tools for Evaluating Water Supply, Hydrodynamic and Hydropower Effects (“Workshop 3”). At Workshop 3, several presentations focused on the “natural” flow paradigm. One such presentation was the Northern California Water Agency’s (“NCWA”) presentation by Water Bourez. In his presentation, Mr. Bourez presented the attached graphs to the State Water Board. These graphs provide a visual representation of the impact of the National Marine Fisheries Service’s (“NMFS”) regulations on water operations. As the graphs reflect, NMFS’ regulations push water into the months of June, July, August, and September. The historic “natural” flow pattern does not have increased flows during these late summer months. Thus, NMFS, an agency responsible for salmonids and *O.Mykiss*, is requiring operations which do not reflect the natural flow paradigm.

The San Joaquin Tributaries Authority requests the State Water Board take these fishery regulations into consideration when evaluating whether a “natural” flow paradigm is reasonable and implementable.

Very truly yours,

**O’LAUGHLIN & PARIS LLP**

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TIM O’LAUGHLIN

TO/tb  
Attachment

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cc: San Joaquin Tributaries Authority  
Thomas Howard, Executive Director  
Caren Trgovcich, Chief Deputy Director

Exhibit 1- Changes in Key River Flows (With BiOps minus Without BiOps)

